

FILED

DISTRICT COURT OF GUAM

NOV 14 2005

MARY L.M. MORAN
CLERK OF COURT

DISTRICT COURT OF GUAM

TERRITORY OF GUAM

MARUWA SHOKAI GUAM, INC.,

Plaintiff,

vs.

M/V KANA-MARU NO. 1, et al.,

Defendants.

CIVIL CASE NO. 00-00029

ORDER

Regarding Plaintiff in Intervention
Sanko Bussan Co., Ltd.'s

*Notice of Repossession of Vessel and
Request for an Order Transferring
Ownership*

M/V KANA-MARU NO. 1, et al.,

Counterclaim-Plaintiffs,

vs.

MARUWA SHOKAI GUAM, INC.,

Counterclaim-Defendant,

and

SANKO BUSSAN CO., LTD,

Claimant/Plaintiff-in-
Intervention

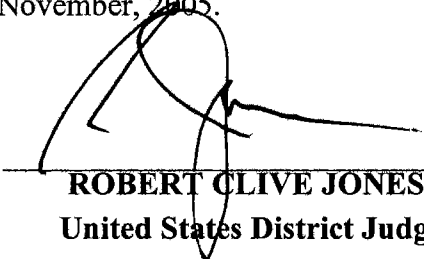
The Court is in receipt of a Notice of Repossession and Request for an Order to Transfer Ownership of Vessel (KANA MARU NO. 1) filed on November 7, 2005 by Plaintiff in Intervention Sanko Bussan Co. Ltd. ("Sanko Bussan"). In its pleading Sanko Bussan alleges that the owner of the vessel, Toshihiko Ikema has defaulted on his obligations to pay the *in rem*

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1 judgment against the vessel and the *in personam* judgment against him personally. Sanko Bussan
2 now seeks to notify the Court of its repossession of the vessel and requests the Court to transfer
3 ownership and title of the vessel to Sanko Bussan.

4 The Court has reviewed Sanko Bussan's Declaration of Service and finds it deficient.
5 Rather than certifying that all interested parties and their counsel have been served, Sanko Bussan's
6 declaration merely states that it will serve the appropriate parties. The Court will not take any
7 action on the matter until proof of proper service to all interested parties has been provided.¹

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9 **IT IS SO ORDERED** this 14 day of November, 2005.

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13 **ROBERT CLIVE JONES***
14 **United States District Judge**
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26 ¹ The Court is also concerned whether transfer of title is the appropriate resolution of this matter as opposed
27 to sale of the vessel. Of further concern is whether all parties with interest in the vessel have been notified of the
28 repossession and intent of Sanko Bussan to obtain title.

* The Honorable Robert Clive Jones, United States District Judge for Nevada, by designation